

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**CARTEZ Q. MCGEE,**

**Plaintiff,**

**v.**

**ROBERT J. BRADLEY, et al.,**

**Defendants.**

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**Civil Case No. 12-256-JPG-PMF**

**MEMORANDUM AND ORDER**

This matter comes before the Court for case management purposes. Plaintiff Cartez McGee filed this §1983 action on March 23, 2012. He challenges the conditions he experienced during his confinement at the Centralia Correctional Center. On April 9, 2012, plaintiff was assessed an initial partial filing fee of \$4.31. Because McGee was confined in prison at the time, his custodian was directed to forward that sum to the Clerk, along with monthly payments each time the balance in McGee's trust fund account exceeded \$10, until the \$350 filing fee was paid in full (Doc. 6).

McGee's custodian forwarded 22 cents to the Clerk in June 2012.

On August 22, 2012, McGee was reminded of his obligation to keep the Clerk and opposing parties informed of his whereabouts (Doc. 9). Records maintained by the Illinois Department of Corrections indicate that McGee was released from confinement on September 27, 2012.

On November 5, 2012, McGee was ordered to pay the remaining portion of his initial partial filing fee and was warned that the failure to pay or to demonstrate that he has no assets would result in dismissal of this case without further warning (Doc. 14). That order was returned, undelivered (Doc. 15). Following his release in September, McGee did not advise the

Clerk of his current mailing address.

The extended payment deadline expired on November 22, 2012. McGee has not prepaid the full amount of his initial partial filing fee. He has not demonstrated that he has no assets and no means by which to pay the sum due.

The circumstances outlined above show that McGee is no longer interested in prosecuting his claims. The Court therefore **DISMISSES** this case **without prejudice** for lack of prosecution pursuant to Federal Rule of Civil Procedure 41(b) and **DIRECTS** the Clerk of Court to close this case.

**IT IS SO ORDERED.**

**DATED: December 6, 2012**

s/J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**